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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Donald E. Weder Atty Dkt. No. 8404.021

Serial No.: Not yet assigned Examiner: F. Palo

Filed: Herewith Art Unit: 3644

For: FLORAL CONTAINER WITH ACCORDION FOLDED UPPER PORTION

Box Patent Application
Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

The following sections are being submitted for this Information Disclosure Statement:

1. ☒ Preliminary Statements
2. ☒ FORM PTO-1449 (Modified)
3. ☒ Statements as to Information Not Found in Patents or Publications (Modified)
4. ☒ Identification of Prior Application
5. ☒ Copies of Listed Information Items Accompanying this Statement
6. ☒ Identification of Person(s) Making this Information Disclosure Statement

Section 1. Preliminary Statements

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

Section 2. Form PTO-1449 (Modified)

☒ [X] A completed Form 1449 (Modified) is attached hereto.

☐ [] No Form 1449 (Modified) is attached.

Section 3. Statements as to Information Not Found in Patents or Publications (Information not listed in PTO 1449 (Modified))

Plant sleeves are old in the art. Plant sleeves typically are constructed of polymer film or paper. Plant sleeves generally are tapered (trapezoidally shaped) with an open top and an open bottom, although some have a closed bottom. A plant in a pot is placed in the plant sleeve so that the sleeve covers the pot and the plant. In some instances, the upper portion of the plant sleeve is removable along a line of perforations leaving at least a portion of the sleeve around the pot. In some instances, a separate sheet of material is placed about the pot and the remaining bottom portion of the plant sleeve hold this separate sheet of material in place. Alternatively, a floral grouping alone may be placed within the sleeve. It is also known to put potted plants in grocery bags.

It is also old in the art to form a sheet of material about a flower pot and then place an elastic band around the sheet of material to hold the sheet in place about the flower pot. In some instances, the band has been positioned about the outer surface of the pot with the sheet of material positioned between the band and the flower pot. In some instances, the band has been positioned above the upper end of the pot thereby causing a portion of the sheet of material to be forced inwardly over the upper end of the pot.

It is also old in the art to form a sheet of material into a conically shaped tube like member referred to commonly in the art as a sleeve. A floral grouping or flower pot with flowers therein can be disposed through the larger open end of the sleeve, wherein the sleeve covers the floral grouping or the flower pot and extends above and around the flowers in the floral grouping or flower pot.

It is also old in the art that cut flowers have been wrapped with the following materials or combinations of materials:

1. Kraft paper plus waxed or unwaxed tissue paper with the flowers being placed next to the waxed paper or tissue paper.
2. Kraft paper plus newspaper plus waxed or unwaxed tissue with the flowers being placed next to the waxed or unwaxed tissue. These three materials have been used to wrap flowers in various combinations such as Kraft paper plus newspaper or Kraft paper plus waxed or unwaxed tissue paper or newspaper plus waxed or unwaxed tissue paper.
3. Waxed or unwaxed tissue paper, polymer films and Kraft paper (treated for water resistance or wet strength or untreated).
4. Polymer film and waxed tissue paper.

Section 4. Identification of Prior Application

This application relies, under 35 U.S.C. §120, on the earlier filing date of prior application Serial No. 09/732,625, filed on December 08, 2000.

Section 5. Copies of Listed Information Items Accompanying this Statement

Legible copies of all items listed in Form PTO-1449 (Modified) accompany this information disclosure statement.

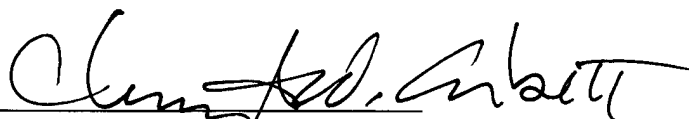
[] Exception(s) to above:

Section 6. Identification of Person(s) Making this INFORMATION DISCLOSURE STATEMENT

The person making this statement is the attorney who signs below on the basis of the information:

- ☐ supplied by the inventor(s)
- ☐ supplied by an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c)).
- ☒ in the attorney's file

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Christopher W. Corbett", written over a horizontal line.

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FORM PTO-1449 <small>(Fill-A-Form 7.92)</small> INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office	Attorney's Docket Number 8404.021	Serial Number Not Yet Assigned
		Applicant Donald E. Weder	
		Filing Date Herewith	Group

U. S. PATENT DOCUMENTS

EXAM INIT.		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA		5	2	4	2	1	9	08/07/1894	Schmidt			
	AB		7	3	2	8	8	9	07/07/03	Paver			
	AC		9	5	0	7	8	5	03/01/10	Pene			
	AD	1	0	4	4	2	6	0	11/12/12	Schloss			
	AE	1	0	6	3	1	5	4	05/27/13	Bergen			
	AF	1	4	4	6	5	6	3	02/27/23	Hughes			
	AG	1	5	2	0	6	4	7	12/23/24	Hennigan			
	AH	1	5	2	5	0	1	5	02/03/25	Weeks			
	AI	1	6	1	0	6	5	2	12/14/26	Bouchard			
	AJ	1	6	9	7	7	5	1	01/01/29	Blake	229	87	
	AK	1	7	9	4	2	1	2	01/18/29	Snyder			
	AL	1	8	6	3	2	1	6	06/14/32	Wordingham			
	AM	1	9	7	8	6	3	1	10/30/34	Herrlinger	91	68	
	AN	2	0	4	8	1	2	3	07/21/36	Howard	229	87	
	AO	R	E	2	1	0	6	5	05/02/39	Copeman	93	2	
	AP	2	1	7	0	1	4	7	08/22/39	Lane	206	56	
	AQ	2	2	0	0	1	1	1	05/07/40	Bensel	229	1.5	
	AR	2	2	7	8	6	7	3	04/07/42	Savada et al.	154	43	
	AS	2	3	0	2	2	5	9	11/17/42	Rothfuss	41	10	
	AT	2	3	2	3	2	8	7	07/06/43	Amberg	229	53	
	AU	2	3	5	5	5	5	9	08/08/44	Renner	229	8	
	AV	2	3	7	1	9	8	5	03/20/45	Freiberg	206	46	

U. S. PATENT DOCUMENTS

EXAM INIT.		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AW	2	4	1	1	3	2	8	11/19/46	MacNab	33	12	
	BA	2	5	1	0	1	2	0	06/06/50	Leander	117	122	
	BB	2	5	2	9	0	6	0	11/07/50	Trillich	117	68.5	
	BC	2	6	2	1	1	4	2	12/09/52	Wetherell	154	117	
	BD	2	6	4	8	4	8	7	08/11/53	Linda	229	55	
	BE	2	6	8	8	3	5	4	09/07/54	Berger	150	28	
	BF	2	7	7	4	1	8	7	12/18/56	Smithers	47	41	
	BG	2	8	2	2	2	8	7	02/04/58	Avery	117	14	
	BH	2	8	4	6	0	6	0	08/05/58	Yount	206	58	
	BI	2	8	5	0	8	4	2	09/09/58	Eubank Jr.	47	58	
	BJ	2	8	8	3	2	6	2	04/21/59	Borin	21	56	
	BK	2	9	8	9	8	2	8	06/27/61	Warp	53	390	
	BL	3	0	2	2	6	0	5	02/27/62	Reynolds	47	58	
	BM	3	0	8	0	6	8	0	03/12/63	Reynolds et al.	47	37	
	BN	3	0	9	4	8	1	0	06/25/63	Kalpin	47	37	
	BO	3	1	2	1	6	4	7	02/18/64	Harris et al.	118	202	
	BP	3	1	3	0	1	1	3	04/21/64	Silman	161	97	
	BQ	3	2	7	1	9	2	2	09/13/66	Wallerstein et al.	53	3	
	BR	3	3	2	2	3	2	5	05/30/67	Bush	229	62	
	BS	3	3	7	6	6	6	6	04/09/68	Leonard	47	41	
	BT	3	3	8	0	6	4	6	04/30/68	Doyen et al.	229	57	
	BU	3	4	3	1	7	0	6	03/11/69	Stuck	53	390	
	BV	3	5	0	8	3	7	2	04/28/70	Wallerstein et al.	53	3	
	BW	3	5	1	0	0	5	4	05/05/70	Sanni et al.	229	66	
	BX	3	5	1	2	7	0	0	05/19/70	Evans et al.	229	53	
	BY	3	5	5	0	3	1	8	12/29/70	Remke et al.	47	37	

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EXAM INIT.		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	BZ	3	5	5	2	0	5	9	01/05/71	Moore	47	41.12	
	BAA	3	5	5	4	4	3	4	01/12/71	Anderson	229	55	
	CA	3	5	5	6	3	8	9	01/19/71	Gregoire	229	53	
	CB	3	5	5	7	5	1	6	01/26/71	Brandt	53	14	
	CC	3	6	2	0	3	6	6	11/16/71	Parkinson	206	59	
	CD	3	6	8	1	1	0	5	08/01/72	Milutin et al.	117	15	
	CE	3	7	6	7	1	0	4	10/23/73	Bachman et al.	229	7	
	CF	3	7	9	3	7	9	9	02/26/74	Howe et al.	53	32	
	CG	3	8	6	9	8	2	8	03/11/75	Matsumoto	47	34.11	
	CH	3	8	8	8	4	4	3	06/10/75	Flanigen	248	152	
	CI	3	9	6	2	5	0	3	06/08/76	Crawford	428	40	
	CJ	4	0	4	3	0	7	7	08/23/77	Stonehocker	47	66	
	CK	4	0	5	4	6	9	7	10/18/77	Reed et al.	428	40	
	CL	4	0	9	1	9	2	5	05/30/78	Griffo et al.	206	423	
	CM	4	1	1	3	1	0	0	09/12/78	Soja et al.	206	602	
	CN	4	1	1	8	8	9	0	10/10/78	Shore	47	28	
	CO	4	1	8	9	8	6	8	02/26/80	Tymchuck et al.	47	84	
	CP	4	2	1	6	6	2	0	08/12/80	Weder et al.	47	72	
	CQ	4	2	4	8	3	4	7	02/03/81	Trimbee	206	423	
	CR	4	2	6	5	0	4	9	05/05/81	Gorewitz	47	26	
	CS	D	2	5	9	3	3	3	05/26/81	Charbonneau	D9	306	
	CT	4	2	8	0	3	1	4	07/28/81	Stuck	53	241	
	CU	4	2	9	7	8	1	1	11/03/81	Weder	47	72	
	CV	4	3	3	3	2	6	7	06/08/82	Witte	47	84	
	CW	4	3	4	7	6	8	6	09/07/82	Wood	47	73	
	CX	4	3	8	0	5	6	4	04/19/83	Cancio et al.	428	167	

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EXAM INIT.		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	CY	4	4	0	0	9	1	0	08/30/83	Koudstall et al.	47	84	
	CZ	4	4	1	3	7	2	5	11/08/83	Bruno et al.	206	45.33	
	CAA	D	2	7	9	2	7	9	06/18/85	Wagner	D11	143	
	DA	4	5	4	6	8	7	5	10/15/85	Zweber	206	0.82	
	DB	4	6	2	1	7	3	3	11/11/86	Harris	206	423	
	DC	4	6	4	0	0	7	9	02/03/87	Stuck	53	390	
	DD	4	7	1	7	2	6	2	01/05/88	Roen et al.	383	120	
	DE	4	7	3	3	5	2	1	03/29/88	Weder et al.	53	580	
	DF	4	7	6	5	4	6	4	08/23/88	Ristvedt	206	0.82	
	DG	4	7	7	1	5	7	3	09/20/88	Stengel	47	67	
	DH	4	7	7	3	1	8	2	09/27/88	Weder et al.	47	72	
	DI	4	8	0	1	0	1	4	01/31/89	Meadows	206	423	
	DJ	4	8	1	0	1	0	9	03/07/89	Castel	383	105	
	DK	4	8	3	5	8	3	4	06/06/89	Weder	29	525	
	DL	D	3	0	1	9	9	1	07/04/89	Van Sant	D11	149	
	DM	4	9	4	1	5	7	2	07/17/90	Harris	206	423	
	DN	4	9	8	0	2	0	9	12/25/90	Hill	428	34.1	
	DO	4	9	8	9	3	9	6	02/05/91	Weder et al.	53	397	
	DP	5	0	7	3	1	6	1	12/17/91	Weder et al.	493	154	
	DQ	5	0	7	4	6	7	5	12/24/91	Osgood	383	122	
	DR	5	1	0	5	5	9	9	04/21/92	Weder	53	399	
	DS	5	1	1	1	6	3	8	05/12/92	Weder	53	397	
	DT	5	1	2	0	3	8	2	06/09/92	Weder	156	212	
	DU	5	1	5	2	1	0	0	10/06/92	Weder et al.	47	72	
	DV	5	1	8	1	3	6	4	01/26/93	Weder	53	397	
	DW	5	1	9	9	2	4	2	04/06/93	Weder et al.	53	397	

U. S. PATENT DOCUMENTS													
EXAM INIT.		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	DX	5	2	0	5	1	0	8	04/27/93	Weder et al.	53	397	
	DY	D	3	3	5	1	0	5	04/27/93	Ottenwalder et al.	D11	164	
	DZ	5	2	2	8	2	3	4	07/20/93	de Klerk et al.	47	41.01	
	DAA	5	2	3	5	7	8	2	08/17/93	Landau	47	72	
	EA	5	2	3	9	7	7	5	08/31/93	Landau	47	72	
	EB	5	2	4	9	4	0	7	10/05/93	Stuck	53	399	
	EC	5	2	5	9	1	0	6	11/09/93	Weder et al.	29	469.5	
	ED	5	3	0	7	6	0	6	05/03/94	Weder	53	410	
	EE	5	3	1	5	7	8	5	05/31/94	Avôt et al.	47	72	
	EF	5	3	5	0	2	4	0	09/27/94	Billman et al.	383	104	
	EG	5	3	5	3	5	7	5	10/11/94	Stepanek	53	461	
		5	3	5	6	3	6	1	10/1994	Watenpaugh	482	111	
	EH	5	3	6	1	4	8	2	11/08/94	Weder et al.	29	469	
	EI	5	3	8	8	6	9	5	02/14/95	Gilbert	206	423	
	EJ	5	4	2	8	9	3	9	04/04/95	Weder et al.	53	397	
		5	4	3	3	2	2	1	07/1995	Adair	128	849	
	EK	5	4	4	3	6	7	0	08/22/95	Landau	156	191	
	EL	5	4	9	3	8	0	9	02/27/96	Weder et al.	47	72	
	EM	5	4	9	6	2	5	1	03/05/96	Cheng	493	224	
	EN	5	4	9	6	2	5	2	03/05/96	Gilbert	493	224	
	EO	D	3	6	8	0	2	5	03/19/96	Sekerak et al.	D9	305	
	EP	5	5	2	6	9	3	2	06/18/96	Weder	206	423	
		5	5	3	3	6	3	8	07/1996	Robbins	220	8	
	EQ	5	5	7	2	8	4	9	11/12/96	Weder et al.	53	399	
	ER	5	5	7	2	8	5	1	11/12/96	Weder	53	399	
	ES	5	5	7	5	1	3	3	11/19/96	Weder et al.	53	397	

U. S. PATENT DOCUMENTS

EXAM INIT.		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	ET	5	6	1	7	7	0	3	04/08/97	Weder	53	413	
	EU	5	6	2	4	3	2	0	04/29/97	Martinez	472	51	
	EV	5	6	2	5	9	7	9	05/06/97	Weder			
	EW	5	6	4	7	1	6	8	07/15/97	Gilbert	47	72	
	EX	5	6	4	7	1	9	3	07/15/97	Weder et al.	53	465	
	EY	5	7	1	5	9	4	4	02/10/98	Windisch	206	423	
		5	7	4	9	1	7	1	05/1998	Weder	47	72	
		5	8	9	6	6	9	8	04/1999	Nurse	47	72	

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

EXAM INIT.		DOCUMENT NUMBER							PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	Translation	
													YES	NO
	FA	4	2	3	1	9	7	8	06/21/79	Australia				
	FB		6	5	4	4	2	7	01/02/65	Belgium			X	
	FC	0	0	5	0	9	9	0	05/05/82	EPO			X	
	FD	0	7	9	1	5	4	3	08/27/97	EPO			X	
	FE	1	3	7	6	0	4	7	09/14/64	France			X	
	FF	2	0	3	6	1	6	3	12/24/70	France			X	
	FG	2	1	3	7	3	2	5	12/29/72	France			X	
	FH	2	2	7	2	9	1	4	12/26/75	France			X	
	FI	2	4	8	9	1	2	6	03/05/82	France			X	
	FJ	2	6	0	3	1	5	9	03/04/89	France			X	
	FK	2	6	1	0	6	0	4	08/12/88	France*(see FN below)			X	
	FL	2	6	1	9	6	9	8	03/89	France			X	
	FM		3	4	5	4	6	4	12/12/21	Germany			X	
	FN		5	1	3	9	7	1	11/27/30	Germany			X	

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION														
EXAM INIT.		DOCUMENT NUMBER							PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	Translation	
													YES	NO
	FO	1	1	6	6	6	9	2	03/26/64	Germany			X	
	FP	1	9	6	2	9	4	7	06/24/71	Germany			X	
	FQ	2	0	6	0	8	1	2	11/04/71	Germany			X	
	FR	2	7	4	8	6	2	6	05/03/79	Germany			X	
	FS	3	4	4	5	7	9	9	06/19/86	Germany			X	
	FT	3	8	2	9	2	8	1	05/18/89	Germany				X
	FU	3	9	1	1	8	4	7	10/25/90	Germany			X	
		4	0	0	9	6	3	3	10/1991	Germany				
	FV		2	2	4	5	0	7	04/30/96	Italy			X	
	FW		5	4	2	9	5	8	02/23/93	Japan			X	
	FX	1	0	0	0	6	5	8	01/05/96	Netherlands			X	
	FY	8	3	0	1	7	0	9	12/84	Netherlands			X	
	FZ	9	3	1	5	9	7	9	08/19/93	PCT			X	
	GA		5	6	0	5	3	2	04/15/75	Switzerland			X	
	GB				5	6	0	5	05/06/1885	United Kingdom				
	GC	1	2	0	4	6	4	7	09/09/70	United Kingdom				
	GD	2	0	5	6	4	1	0	03/18/81	United Kingdom				
	GE	2	0	7	4	5	4	2	11/04/81	United Kingdom				
	GF	2	1	2	8	0	8	3	04/26/84	United Kingdom				
	GG	2	2	5	2	7	0	8	08/19/92	United Kingdom				

EXAM INIT.		OTHER MATERIALS											
		(Including, Author, Title, Date, Relevant Pages, Place of Publication.**)											
	HA	Speed Cover Brochure, "The Simple Solution For Those Peak Volume Periods", Highland Supply Corporation, ©1989.											
	HB	"Speed Sheets and Speed Rolls" Brochure, Highland Supply Corporation, ©1990.											
	HC	"Color Them Happy with Highlander Products" ©1992.											
	HD	"Costa Keeps the Christmas Spirit", Supermarket Floral, Sept. 15, 1992.											

EXAM INIT.	OTHER MATERIALS (Including, Author, Title, Date, Relevant Pages, Place of Publication.**)	
	HE	"Super Seller", Supermarket Floral, Sept. 15, 1992.
	HF	"Halloween", Link Magazine, Sept. 1992.
	HG	"Now More Than Ever", Supermarket Floral, Sept. 15, 1992.
	HH	Le Plant Sac Advertisement, published prior to 09/26/87.
	HI	"A World of Cut Flower and Pot Plant Packaging" Brochure, Klerk's Plastic Products Manufacturing, Inc., published prior to 03/31/94, 6 pages.
	HJ	Chantler & Chantler brochure showing Zipper Sleeve™ and Florasheet®, published prior to 03/31/94, 2 pages.
	HK	"Stand Alone Plastic Bagmaking" brochure, AMI, Atlanta, GA, February 15, 1996, 2 pages.
	HL	"Foil Jackets" brochure, Custom Medallion, Inc., December, 1996, 2 pages.
	HM	"Derwent Abstract" of FR 2610604A. It is noted that the abstract is an incorrect English translation of the contents of the French patent. The French patent does not enable or disclose adhesively attaching the covering to the container. 1988.
	HN	"Silver Linings" Brochure, Affinity Diversified Industries, Inc., 1986. The Silver Linings brochure shows a floral sleeve with a closed bottom. The brochure shows, in one embodiment, a vase with flowers inside a "cut flower" sleeve with the sleeve tied with a ribbon about the neck of the vase.
EXAMINER		DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance and not considered. Include copy of this form with next communication to applicant. **Place of Publication refers to name of publication in which the information was published.		